FOR MYSORE STATE

Home (1952) Department.

(44)

RL SERIES.

Pattn 4 87

G.O. NO. 2401

Dated 18.8.52

[Despatch Abstract.]

Jail Department

From

Sri S. A. Iyengar, I. C. S.,
Inspector-General of Prisons,
M A D R A S.

To

The Secretary to Government
Home Department,
Madras

No. 122/S4/52 Dated 6-8-1952

Sir,

Sub:- Advisory Board - Central Jail, Cannanore - cases of lifer convicts Not recommended for premature release - papers submitted.

P 880/52R1 04.---

Under rule 310-A(a) of Part I, Madras Prison & Reformatory Manual, Volume II, I submit the following papers relating to the convicts mentioned in the annexure for orders of the Government These papers were placed before the Advisory Board which met at the Central Jail, Cannanore on 21-6-52.

1. Proceedings of the Board - PP 5, 23, 39 & 57 below
2. Recommendation Rolls. — PP 7, 25, 41 and 59 "
3. Advisory Board working sheets. — PP 9, 27, 43 & 61 "
4. Nominal rolls. — PP 11-12, 29-30, 45-46 & 63-64 below
5. Reports of the police and the District Magistrates. PP 15 & 21, 33-34, 49-50 & 67-68 below
6. Copies of judgments of the lower and appellate courts. PP 73-115 below

2. I agree with the recommendation of the Board.

145416
8/8

Encls
k/p/7-8

INSPECTOR GENERAL OF PRISONS
//P.T.O.//

Annexure.

S.No.	Convict No.	Name.	G.O.No.& date ordering the resubmission of the Case
1.	2293	Sgkappa Shetty Koraga Shetty	G.O.R.No.2309 Home dt 21-8-1951.
2.	2294	Biloyur Shesappa shetty	do
3.	2296	Golithathu Authappa Poojari	do
4.	2297	Padil Thania Poojari	do
5.	7823	Muthuswamy Asari.	G.O.R.No.2215 Home dt 8-8-51.

Dealt with separately.

3

PROCEEDINGS OF THE ADVISORY BOARD MEETING HELD AT THE CENTRAL JAIL, CANNANORE ON 21ST JUNE, 1952.

R. PRASAD, Esq., I.C.S., PRESIDENT.
District Magistrate, Malabar.

Sri C. R. VISWANATHA IYER, B.A., B.L., OFFICIAL MEMBER.
Sessions Judge, North Malabar, Tellicherry.

Sri P. GOVINDA PANIKKAR, B.A., LLB., NON-OFFICIAL MEMBER.
Hony Secretary, D.P.A. Society, Cannanore

Sri K.P.R. MENON, SECRETARY.
Superintendent, Central Jail, Cannanore.

The cases of the following Lifer Convicts are NOT recommended for conditional release:-

S.No	Convict No and	Name	Remarks.
1.	2293	SANKAPPA SHETTY @ KORAGA SHETTY	NOT RECOMMENDED.
2.	2294	BILIYUR SHESAPPA SHETTY	NOT RECOMMENDED.
3.	2296	GOLITHATHU AITHAPPA POOJARY	NOT RECOMMENDED.
4.	2297	PADIYIL THANIA POOJARI	NOT RECOMMENDED.
5.	7823	MUTHUSWAMY ASARI	NOT RECOMMENDED.

Deal with separately

Non-Official Member. Official Member. President. 21.6.52

Secretary.

HD/-

5

PROCEEDINGS OF THE ADVISORY BOARD MEETING HELD AT CENTRAL JAIL, CANNANORE ON 21ST JUNE, 1952.

The cases of the following Lifer Convicts are NOT recommended for conditional release:-

S.No.	Convict No & Name	Remarks.
1.	2293 SANKAPPA SHETTY @ KORAGA SHETTY	- NOT RECOMMENDED.

/True Extract/

Superintendent,
Central Jail, Cannanore.

HD/-

Judl. (Jail II)-92—8,456—14-9-61.

7

Roll of convict recommended for conditional release under the Intermediate sentences scheme sanctioned in G.O. No. 667, Law (General), dated 26th February 1923.

1. Name of jail	Central Jail, Cannanore.
2. Convict number and name	2293 SANKAPPA SHETTY @ KORAGA SHETTY
3. Father's or Husband's name	PAKIRI SHETTY
4 Residential address including taluk and district.	SUJIYAR - MANGALORE S. Kanara.
5. Court by which the prisoner was convicted and case number.	SESSION JUDGE, SOUTH KANARA. SC 31/44
6. Section of the I.P.C. or other law under which convicted.	Sec. 304 II IPC; (302 IPC on appeal).
7. Date of sentence	4-12-44.
8. Period of sentence	RI for 3 years dated 4.12.44 enhanced to Transportation for life on appeal.
9. Date on which convict completed two thirds of his sentence.	17--9--50 (Third Time)
10. Unexpired portion of sentence on date of recommendation by the Board, including remission earned (remission granted in celebration of pub lic events should be excluded).	Y. M. D. 4 4 25 Remission granted in celebration of public events included.

P.T.O.

11. Full " police " history with recommendation of the District Superintendent of Police.	Vide separate sheet attached.
12. Recommendation of the District Magistrate.	Vide separate sheet attached.
13. Remark of the Superintendent of the Jail on the conduct of the convict in prison.	EXEMPLARY
14. Recommendation of the Advisory Board with detailed reasons when the Board differs from the Superintendent of Police or the District Magistrate.	NOT RECOMMENDED. Sd/- President.

Cannanore Central JAIL,

Dated 21--6-- 1952.

Superintendent

HD/-

There will be sporadic outbreak of lawlessness. The peace and tranquility will be disturbed in the village. The reaction will be one of unsafety and uneasiness.

2. The feelings of the relations of the victim will be one of fear and dreadfulness. The accused may even wreak vengeance resulting in violence and bloodshed.

3. The life of the accused itself will be unsafe as he is a dangerous and desperate felow, and the villagers are dead against the convict.

4. The accused belongs to one of the factious parties existing in Perne and the surrounding villages. The faction is commonly called the Bellipadi faction though dormant at present. On account of the party feelings many a murder has taken place in the past. The accused in this case was a hireling of one Perni Mailarai who too one of the accused in the very same murder case. Though Mailara is no more, his two surviving brothers viz., Sangeeva Rai and Narayana Rai are equally powerful. The accused in this case has got two brothers who are influential and powerful in the village. One of the brothers was convicted in a dacoity case and he is a registered K.D. of Puttur Station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release of the convict is not recommended in the interest of public at large.

5. The convict belongs to a strong factious party commonly called (Bellipadi Faction'. The peaceful life of the village will be distrubed if the convict is released prematurely.

Sd/- S.I.Police, Puttur.

1. As the accused was convicted in case arising out of a long standing faction in the village, his premature release will be viewed with fear and apprehensions of sporadic outbreak of lawlessness and disturbance of peace likely to cause danger to the person and property of his erstwhile enemies.

2. The relations of the victim who are members of a faction still carry memories of the past and a premature release will only enliven their feelings of animosity and hatred for the accused.

3. The life of the accused will not be safe.

4. The report of the S.I. of Police, Puttur regarding the past history and conduct may be perused. His premature releasse is not ecommended.

Sd/- D.S.P. South Kanara.

D. M. 's REPORT.

The Session Judge, South Kanara in his judgement in SC 31/44 dated 4-12-44 convicted the 6 accused for the offence under Section 304 II IPC and sentenced each of them to 3 years' imprisonment. In criminal appeal Nos 870/44, 173/45 and Cr.C. 226/45 on the file of the High Court, Madras, the 1st and 4th accused were found guilty on the charge of murder and sentenced to transportation for life. The references cited relate to the premature releases of the 4 accused who are at present undergoing the sentences aforesaid in the Central Jail, Cannanore. The records of enquiry received from the D.S.P., South Kanara will show thal all the 4 accused belong to one of the strong parties existing in Bellipadi, Perni and the surrounding villages once headed by Maila Rai who is now no more and that his brothers are also influential and powerful one of whom was convicted in a dacoity case and is a registered K.D. of Puttur Station. The 4 accused are either hirelings or supporters of one of the parties and the relations of the victim who are said to belong to the other party still carry memories of the past and the D.S.P. has reported that the premature release of the convicts in question will only strengthen the feelings of the parties with the result ~~thereby~~ there is likelihood of danger to both parties and disturbance of peace in the locality. Further it is reported that the life of the convicts themselves will not be safe if released prematurely. The D.S.P., South Kanara with whom I agree does not recommend the release of the 4 convicts. While enclosing the connected records of enquiry relating to the 4 convicts I am to report that the 4 convicts in question cannot be released without injury to the community.

/By order/

Sd/- Magisterial Head Clerk.

Convict No 2293 (III Time).

Working sheet as on 22.6.50.

4--12--44
0-- 4--13
3-- 4--58
112 Days at large
115
30 April
85
31 May
54
30 June
24-7-58
19-9- 7
5-10-50
18 remission to be earned.
17--9-50

Unexpired portion of sentence.

25--3--65
21--6--52
4--9--12
9--4-- 8
25--4-- 4

Particulars of Remission.

Convict		214 Days.
N.W.		35
GCR		75
SR		45
IDSR '47		1,200
" '48		60
" '49		15
RSR		1,200
		2,844
Remission earned after 22-6-50 upto 17-6-51	N.W.	35
	W.O.	12
	CW	24
	GCR	15
	SR	8
		2,938
Remission earned after 17-6-51 to date	CW	96
	GCR	15
		3,049

Superintendent,
Central Jail, Cannanore.

2844
2555
289

HD/-

11

FORM No. 52. (*See* Rule 879, Part I of Vol. II. M.P. and R.M.) Judl. (Jail II)-13.

NOMINAL ROLL OF MALE* CONVICT No. 2293 A

Name SANKAPPA SHETTY @ KORAGA SHETTY S/o PAKKIRI SHETTY

Residence (Village, Taluk and District.) SUJIYAR - MANGALORE - SOUTH KANARA

Caste Hindu; Bunt. Present age 53. years. Occupation Cultivation.

Section and Code under which imprisoned. 304 II IPC; 302 IPC on appeal.

Original sentence of order and date. RI 3 years, d/- 4-12-44, enhanced to transportation for life on appeal.

Adjudicating Court and Calendar number of case. Session Judge, South Kanara; SC 31/44.

Unexpired term of sentence after deducting remission earned. 4 year(s) 4 Month(s) 25 Day(s).

Present state of health and fitness to undertake a journey.† IH

(P.TO

12

Result of appeal (if any) Modified into a sentence of transportation for life u/s 302 IPC in CA 870/44 and 173/[illegible] by High Court, Madras.

Conduct in Jail— EXEMPLARY.

Personal and descriptive marks §— ---

Remarks— Class II - Rice Diet.- Education C.I Direct Committal

* Strike out and add "Female" when necessary.

† After the Prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

§ Personal and descriptive marks are to be given when (1) rolls accompany prisoners transferred. (2) police assistance is sought for the recapture of an escaped prisoner (Rule 549, Part I of Vol. II, M.P. and R.M.)

Superintendent.

Cannanore Central JAIL,
21. 6. 19 52.

HD/-

Express

No. R7/52/2293

Office of the Superintendent, Central Jail,
Cannanore, dated, 17th April, 1952.

To

The District Superintendent of Police, S. Kanara Mangalore

Sir,

As the Advisory Board constituted by G.O. No 667 Law (General) Dept., dated 26th February, 1923 as published in Part I of the Fort St-George Gazette dated 6th March 1923 is to sit at this Jail shortly, I have the honour to request that you will be so good as to favour me promptly with full and accurate details of the previous history as called for in the annexure in the case of Convict No 2293 Santhappa who was sentenced in S C No 31 of 1944 as it is one of those to be placed before the Board for consideration. As the matter does not admit of delay, I shall be obliged if you will kindly give it your personal attention and forward the required details within 15 days through the Disteict Magistrate, S. Kanara so as to be received in this office or or before 15-5-52 positively

The undermentioned recordd relating to the prisoner are also enclosed heerewith. They may kindly be returned to me with your report through the District Magistrate S. Kanara. The receipt of this communication may be acknowledged.

Encl:- Nominal Roll of the prisoner (2) Copy of Judgement in S C No 31 of 1944 (3) Copy of Appellate Judgement in C.A.No 870/44 and 1731/45. (4) Annexure.

Superintendent.

Copy to the District Magistrate, S. Kanara for favour of supplementing details with such information and remarks as may deem to be appropriate and necessary towards the end in view. At the suggestion of the Board it is further requested that it may be definitely stated whether or not the prisoner can be released without injury to the community.

HD/-

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ANNEXURE.
(To be returned.)

Prisoner No 2293 and Name Sankappa Shetty

Note:- The Government direct that the previous history of the above prisoner should contain the information on the following points, and the District Magistrate and the District Superintendent of Police are requested to furnish the same:-

	Report of the District Superintendent of Police.	Opinion of the District Magistrate.
1. What will be reaction in the locality if the prisoner is released prematurely.	As the accused was convicted on a case arising out of a love affair Sankappa Shetty of the village has premature release will be viewed with fear and apprehensions of sporadic outbreaks of lawlessness and disturbance of the peace, likely to cause danger to the person and property of his erstwhile enemies.	
2. What the feelings of the relations of the victim(s) of the offence who suffered at the hands of the accused will be in case of premature release.	2. The relations of the victim who are members of a faction will carry memories of the past and their feelings of animosity & hatred for the accused.	
3. Whether the life of the accused itself will be safe if he is to be released prematurely.	The life of the accused will not be safe.	
4. The past history and conduct of the accused.	4. The report of the Supdt of Police may be perused. His premature release is not recommended.	
5. Any additional information relating to the prisoner.		

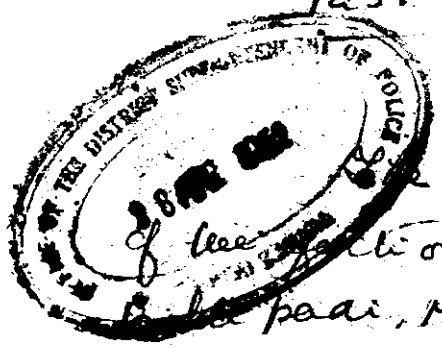
Dt. Superintendent of Police. District Magistrate.

RD/- W Spl Cell No 7737/52/52

Refer to the Superintendent of Jail Commissioner Thanks

WR 8.2

Past History and Conduct of the accused



The accused belongs to one of the factions parties existing in Pandaipadi, Perur and the surrounding villages. The faction is commonly called "Pallipadi faction" though dominant at present. On account of the party feelings many a murder has taken place in the past. The accused in this case was a kinsman of one Perur Mailadan who too was one of the accused in the very same murder case. Though Mailadan is no more his two surviving brothers namely Senjeeva Das and Narayana Das are equally powerful

The deceased in this case has got two brothers who are influential and powerful in

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the village. One of the brothers was convicted on a daily care and he is a registered K.D of Pallur Station. It is most unlikely that the premature release of the convict would bring some trouble So the premature release of the convict is not recommended in the interest of the public at large

A.B. Madhavarao
S.I. of police Pallur
25/4/52.

Recommended.

In the circumstances reported by the S.I premature release is not recommended

Bonu
W.E.
25/4/52

1. [illegible] will be reaction [illegible] release of the prisoner is released prematurely

There will be sporadic outbreaks of lawlessness the peace and tranquility will be disturbed in the village. The reaction will be one of unsafety and uneasiness.

2. What the feelings of the relations of the victim will be in case the accused is released prematurely

The feelings of the relations of the victim will be one of fear and dreadfulness. The accused may even wreck vengeance resulting violence and bloodshed

3 [illegible] life of the accused itself will be unsafe if he is released prematurely

The life of the accused itself will be unsafe as he is a dangerous and desperate fellow and the villagers are dead against the convict.

4 [illegible] history and character of the convict

Separate sheet is attached.

5 Any additional information [illegible]

The convict belongs to a Shiromani faction party commonly called Bellipadi faction. The peaceful life of the village will be disturbed if the convict released prematurely.

Sd/-

Mr. Ramakrishnaiah
S-I & Addl. Public PS/4154

21

M.L.Dis.2984/52

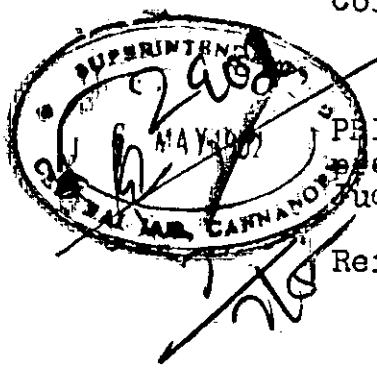
S.Kanara Dt.Magistrate's Office,
Mangalore dated 3.5.52.

From

SRI A.R.RAJARATNAM B.A.
Collector of S.Kanara.

To

The Superintendent Central Jail,
Cannanore.



PRISONERS - Advisory Board - central Jail Cannanore - ~~relevant~~ premature release of convict in SC.31/144 of Sessions Judge of S.Kanara - not recommended.

Ref: 1. Your letter R.7/52/2293 dated 17.4.52 received through the Dt.Superintendent of Police with his endorsement N.Dis.7737/52 dated 29.4.52.
2. Your letter R7/52/2294 dated 17.4.52
-do- N.Dis.7735/52 dated 29.4.52.
3. Your letter R7/52/2296 dated 17.4.52
-do- N.Dis.7738/52 dated 29.4.52.
4. Your letter R7/52/2297 dated 17.4.52.
-do- N.Dis.7734/52 dated 29.4.52.

The Sessions Judge of S.Kanara in his judgement in S.C.31/44 dated 4.12.1944 convicted the six accused for the offence under section 304 (Part II) I.P.C. and sentenced each of them to three years imprisonment. In Crl. Appeal Nos.870/44, 173/45 and C.R.C. No.226/45 on the file of the High Court Madras, the first and fourth accused were found guilty on the charge of murder and sentenced to transportation for life. The references cited relate to the premature release of the four accused who are at present undergoing the sentences aforesaid in the Central Jail Cannanore.

The records of enquiry received from the Dt. Superintendent of Police, S.Kanara will show that all the four accused belong to one of the strong parties existing in Bellipady, Perne and the surrounding villages once headed by Maila Rai who is now no more, and that his two brothers are also influential and powerful, one of whom was convicted in a dacoity case and is a Registered K.D. of Puttur Station. The four accused are either hirelings or supporters of one of the parties and the relations of the Victim who are said to belong to the other party still carry memories of the ~~other party, still carry mem~~ past and the Dt. Superintendent of Police has reported that a premature relases of the convicts in question will only strengthen the feelings of the parties with the result there is likelyhood of danger to both parties and disturbance of peace in the locality. Further it is reported that the life of the convicts themselves will not be safe if released prematurely.

The Dt. Superintendent of Police, S.Kanara with whom I agree, does not recommend the premature release of the four convicts while enclosing the connected records of enquiry relating to the four convicts, I am to report that the four convicts in question cannot be released without injury to the community.

/By order/

Magl. Head Clerk.

AM/5-5-52.

PROCEEDINGS OF THE ADVISORY BOARD MEETING HELD AT CENTRAL JAIL, CANNANORE ON 21ST JUNE, 1952.

The cases of the following Lifer Convicts are NOT recommended for conditional release:-

S.No.	Convict No & Name	Remarks.
2.	2294 BILIYUR SHESHAPPA SHETTY	NOT RECOMMENDED.

/True Extract/

Superintendent,
Central Jail, Cannanore.

HD/-

Judl. (Jail II)-92—8,456—14-9-51.

25

Roll of convict recommended for conditional release under the Intermediate sentences scheme sanctioned in G.O. No. 667, Law (General), dated 26th February 1923.

1. Name of jail	Central Jail, Cannanore.
2. Convict number and name	2294 BILIYUR SHERAPPA SHETTY
3. Father's or Husband's name	MARAPPA SHETTY
4 Residential address including taluk and district.	BILIYUR - PUTTUR - S. KANARA
5. Court by which the prisoner was convicted and case number.	SESSION JUDGE, SOUTH KANARA SC 31/44.
6. Section of the I.P.C. or other law under which convicted.	Sec. 304 II IPC (302 IPC on appeal)
7. Date of sentence	4-12-44.
8. Period of sentence	RI 3 years dated 4.12.44 enhanced to Transportation for life on appeal.
9. Date on which convict completed two thirds of his sentence.	1-8-50 (Third time)
10. Unexpired portion of sentence on date of recommendation by the Board, including remission earned (remission granted in celebration of public events should be excluded).	Y. M. D. 4 2 14 Remission granted in celebration of public events included.

[P.T.O.

11. Full " police " history with recommendation of the District Superintendent of Police.	Vide separate sheet attached.
12. Recommendation of the District Magistrate.	I agree with the D.S.P., S.Kamara and do not recommend the premature release of the convict. He cannot be released without injury to the community. Sd/- Dt. Magistrate.
13. Remark of the Superintendent of the Jail on the conduct of the convict in prison.	EXEMPLARY
14. Recommendation of the Advisory Board with detailed reasons when the Board differs from the Superintendent of Police or the District Magistrate.	NOT RECOMMENDED. Sd/- President.

Cannanore Central JAIL,

Dated 21-- 6-- 1952

Superintendent

HD/-

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There will be sporadic outbreak of lawlessness and peace and tranquility will be disturbed in the village. The reaction will be one of unsafety and uneasiness.

2. The feelings of the relations of the victims will be one of fear and dreadfulness. The accused may even wreak vengeance resulting in violence and bloodshed. The life of the accused will be unsafe as he is a dangerous and desprate fellow and the villagers are dead against the convict. The accused belongs to one of the factious parties existing in Bellipadi, Perni and the surrounding villages. The faction is commonly called the Bellipadi Faction though dormant at present. On account of the party feelings, many a murder has taken place in the past. The accused in this case is a hireling of one Perni Mailarai who too one of the accused in the very same murder case. Though Maila Rai is no more his two surviving brothers Sanjeeva Rai and Narayana Rai are equally powerful. The deceased in this case has got two brothers who are influential and powerful in the village. One of the brothers was convicted in a dacoity case and he is a registered K.D. of this station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release is not recommended.

Sd/- S.I.of Police Puttur

In the circumstances reporded by S.I., the premature release is not recommended.

Sd/- Inspector.

This convict was a co-accused with convict No 2297 Padiyil Thania Poojari and 2293 Sankappa Shetty and 2296 Golithathu Aithappa Poojari. The remarks on them hold good in the case of this convict also. The report of the S.I. of Police, Puttur is duly endorsed by me and I do not recommend the premature release.

Sd/- D.S.P. South Kanara.

D. M. 's REPORT.

The Sessions Judge, South Kanara in his judgement in SC 31/44 dated 4-12-44 convicted the 6 accused for the offence under Section 304 II IPC and sentenced each of them to 3 years' imprisonment. In criminal appeal Nos 870/44, 173/45 and Cr.C. 226/45 on the file of the High Court, Madras, the 1st and 4th accused were found guilty on the charge of murder and sentenced to transportation for life. The referenc cited relate to the premature released of the 4 accused who are at preser undergoing the sentences aforesaid in the Central Jail, Cannanore. The records of enquiry received from the D.S.P., South Kanara will show that all the 4 accused belong to one of the strong parties existing in Bellipadi, Perni and the surrounding villages once headed by Maila Rai who is now no more and that his brothers are also influential and powerful one of whom was convicted in a dacoity case and is a registered K.D. of Puttur Station. The 4 accused are either hirelings or supporter of one of the parties and the relations of the victim who are said to belong to the other party still carry memories of the past and the D.S.P. has reported that the premature release of the convicts in question will only strengthen the feelings of the parties with the result there is likelihood of danger to both parties and disturbance of peace in the locality. Further it is reported that the life of the convicts themselves will not be safe if released prematurely. The D.S.P., South Kanara with whom I agree does not recommend the release of the 4 convicts. While enclosing the connected records of enquiry relating to the 4 convic I am to report that the 4 convicts in question cannot be released without injury to the community.

/By order/

Sd/- Magisterial Head Clerk.

Convict No 2294 (III Time).

Working sheet as on 22-6-50.

4--12--44
0--4--13
3--4--58
112 days at large
115
30 April
85
31 May
54
30 June
24-7-58
8-11-7
16-8-50
15 to be earned
1-8-50
25-3--65
21-6--52
4-9--12
[illegible]-- 8
[illegible]-- 4

Particulars of remission.

Convict		158 days.
N.W.		35
C.W.		112
SR		38
GCR		75
IDSR '47		1,200
" '48		60
" '49		15
RSR		1,200
		2,893
Remission earned after 22-6-50 up to 17-6-51	CW	96
	GCR	15
	SR	15
		3,019
Remission earned after 17-6-51 upto date	CW	96
	GCR	15
		3,030 days.

Superintendent,
Central Jail, Cannanore.

HD/-

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FORM No. 52.—(*See* Rule 879, Part I of Vol. II, M.P. and R.M.) Judl. (Jail II)-13.

T

NOMINAL ROLL OF MALE* CONVICT No. 2294 A

Name: BILIYUR SHESHAPPA SHETTY S/o MARAPPA SHETTY

Residence (Village, Taluk and District.): BILIYUR - PUTTUR - SOUTH KANARA.

Caste: Hindu; bunt. Present age: 41 years. Occupation: Cultivation.

Section and Code under which imprisoned: 304 II IPC; (302 IPC on appeal).

Original sentence of order and date: RI 3 years d /- 4.12.44 enhanced to transportation for life on appeal.

Adjudicating Court and Calendar number of case: Session Judge, South Kanara; SC 31/44.

Unexpired term of sentence after deducting remission earned: 4 year(s) 3 Month(s) 4 Day(s).

Present state of health and fitness to undertake a journey.‡: I H

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Result of appeal (if any) Modified into a sentence of transportation for life u/s 302 IPC in CA 870/44 and 173/45 by High Court, Madras

Conduct in Jail EXEMPLARY.

Personal and descriptive marks §

Remarks Class II - Rice Diet - Education C.-- Direct Committal

* Strike out and add "Female" when necessary.

† After the Prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus - No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

§ Personal and descriptive marks are to be given when (1) rolls accompany prisoners transferred. (2) police assistance is sought for the recapture of an escaped prisoner (Rule 549, Part I of Vol. II, M.P. and R.M.)

Cannanore Central Jail,

21. 6. 19 52.

Superintendent.

HD/-

Express

No R7/52/2294/1800 Office of the Superintendent, Central Jail, Cannanore, dated, 17th April, 1952.

210/51/To

The District Superintendent of Police, S. Kanara, Mangalore

Sir,

As the Advisory Board constituted by G.O. No 667 Law (General) Dept., dated 26th February, 1923 as published in Part I of the Fort St-George Gazette dated 6th March 1923 is to sit at this Jail shortly, I have the honour to request that you will be so good as to favour me promptly with full and accurate details of the previous history as called for in the annexure in the case of Convict No 2294, who was sentenced in S C No 31 of 1944 as it is one of those to be placed before the Board for consideration. As the matter does not admit of delay, I shall be obliged if you will kindly give it your personal attention and forward the required details within 15 days through the District Magistrate, S. Kanara so as to be received in this office on or before 15-5-52 positively.

The undermentioned recordd relating to the prisoner are also enclosed heerewith. They may kindly be returned to me with your report through the District Magistrate S. Kanara The receipt of this communication may be acknowledged.

Encls:- Nominal Roll of the prisoner (2) Copy of Judgement in S C No 31 of 1944 (3) Copy of Appellate Judgement in C.A.No 870/44 (4) Annexure.

Superintendent.

Copy to the District Magistrate, S. Kanara for favour of supplementing details with such information and remarks as may deem to be appropriate and necessary towards the end in view. At the suggestion of the Board it is further requested that it may be definitely stated whether or not the prisoner can be released without injury to the community.

HD/-

32

23 APR 1952

Report

N. Ref. ens 7735/0->/52

Ref to the [illegible] enclosed [illegible] communication

with the following [illegible] [illegible] [illegible]

requested in this [illegible] will you refer

to our Ref ens/7735/52 [illegible]

N. Ref ens 7735/[illegible]/52

[illegible] for [illegible] urgency and

report [illegible] [illegible] days

SHO [illegible]

[illegible]

23/4/52

[illegible]

[illegible]

[illegible]

ANNEXURE.
(To be returned.)

Cdn. No 2294 and Name Poiliyan Sharappa Shetty

Note:- The Government direct that the previous history of the above prisoner should contain the information on the following points, and the District Magistrate and the District Superintendent of Police are requested to furnish the same:-

SOUTH KANARA
COLLECTOR'S OFFICE
R 952

	Report of the District Superintendent of Police.	Opinion of the District Magistrate.
1. What will be reaction in the vicinity if the prisoner is released prematurely.	His accused was a co-accused in the Criminal Courts Nos. 2297 Padre Gauda Poojary, 2298 Bankappa Shetty and 2296 Gopikaka Mallappa Poojary. Remarks on them are recorded in the case diary also.	
2. What the feelings of the relations of the victim(s) of the offence who suffered at the hands of the accused will be in case of premature release.		
3. Whether the life of the accused itself will be safe if he is to be released prematurely.		
4. The past history and conduct of the accused.	The Superintendent of Police's letter to jail endorsed by me also I do not recommend for premature release.	
5. Any additional information relating to the prisoner.		

Dt. Superintendent of Police.

District Magistrate.

HD/-

N.Dr. CMO 7735/Conf/52

by the Superintendent of Police through D.M. S.K.

Forwarded to the Department
Central Jail, [illegible] with the
records of enquiry.

I agree with the D.E.O. [illegible]
[illegible] recommended the premature
release of the convict. He [illegible]
released [illegible] enquiry. No [illegible]
[illegible]

[illegible]
3552
D.E.O. [illegible]
[illegible]

21.

Past history and Conduct of the accused

The accused belongs to one of the factions parties existing in Bellipadi, Perne and the surrounding villages The faction is commonly called "Bellipadi faction" though ~~ther~~ name at present On account of the party feelings many a murder has taken place in the past The accused in this case is a kinsman of one Perne Naik Rai who too was one of the accused in the enemy same murder case. Though Naik Rai is no more his two surviving brothers namely Sanjiva Rai and Narayana Rai are equally powerful

The deceased in this case has got two brothers who are influential and powerful in the village One of the brothers was

was convicted in a security case and he is a registered K.D. of Pallavaram Station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release is not recommended

H. Maddanadar
D.I.G. of Police
25/4/52.

Re Submitted

In the circumstances reported by the S.I. premature release is not recommended

[illegible]
25/4/52

- Whether will be reaction with the release of the prisoner is released prematurely

There will be sporadic outbreak of lawlessness and peace and tranquility will be disturbed in the village. The reaction will be one of insecurity and uneasiness

- Whether feelings of the relations of the victim(s) of the offence who suffered whether Family of the accd. will be in case of premature release

The feelings of the relations of the victim will be one of fear and dread for the accused may even wreck revenge resulting violence and bloodshed

3 Whether life of the accused himself will be safe if he is released prematurely

The life of the accused will be unsafe as there is dangerous and desperate feeling and the villagers dead against the convict

4. Past history and conduct of the accused

Separate sheet is attached

5 Any additional information with regard to prisoner

The prisoner belongs to every strong factions party ~~Community~~ called Pillipadi faction.

Sd/- Illegible 25/11

S.I of Police

PROCEEDINGS OF THE ADVISORY BOARD MEETING HELD AT CENTRAL JAIL, CANNANORE ON 21ST JUNE, 1962.

The cases of the following Lifer Convicts are NOT recommended for conditional release:-

S.No.	Convict No & Name		Remarks.
3.	2296	GOLITHATHU AITHAPPA POOJARI	NOT RECOMMENDED.

/True Extract/

Superintendent,
Central Jail, Cannanore.

HD/-

Judl. (Jail II)-92—8,456—14-9-51.

41

Roll of convict recommended for conditional release under the Intermediate sentences scheme sanctioned in G.O. No. 667, Law (General), dated 26th February 1923.

1. Name of jail	Central Jail, Cannanore
2. Convict number and name	2296 GOLITHATHU AITHAPPA POOJARI
3. Father's or Husband's name	THANIA POOJARY
4 Residential address including taluk and district.	KODIMBADI - PUTTUR - S. KANARA
5. Court by which the prisoner was convicted and case number.	SESSION JUDGE, SOUTH KANARA SC 31/44.
6. Section of the I.P.C. or other law under which convicted.	Sec. 304 II IPC; (302 IPC on appeal).
7. Date of sentence	4-12-44.
8. Period of sentence	RI 3 years dated 4.12.44 enhanced to transportation for life on appeal.
9. Date on which convict completed two thirds of his sentence.	13--6--50.
10. Unexpired portion of sentence on date of recommendation by the Board, including remission earned (remission granted in celebration of pub lic events should be excluded).	Y. M. D. 3 10 21 Remission granted in celebration of public events included.

[P.T.O.

11. Full " police " history with recommendation of the District Superintendent of Police.	Vide separate sheet attached.
12. Recommendation of the District Magistrate.	I agree with the D.S.P., S.Kanara and do not recommend the premature release of the convict. The convict cannot be released without injury to the community. Sd/- Dt. Magistrate, S.Kanara.
13. Remark of the Superintendent of the Jail on the conduct of the convict in prison.	EXEMPLARY
14. Recommendation of the Advisory Board with detailed reasons when the Board differs from the Superintendent of Police or the District Magistrate.	NOT RECOMMENDED. Sd/- President.

Cannanore Central Jail,

Dated 21 - 6- 1952.

Superintendent

HD/-

There will be sporadic outbreak of lawlessness and peace and tranquility will be disturbed in the village. The reaction will be one of unsafety and uneasiness. The feelings of the relations of the victims of the offence will be one of fear and dreadfulness. The accused may even wreak vengeance resulting in violence and bloodshed. The life of the accused will be unsafe as the convict is a dangerous and desperate fellow and the villagers are dead against him. The accused belongs to one of the factious party existing in Bellipadi & Perni and the surrounding villages. The faction is commonly called the Bellipadi Faction though dormant at present. On account of the party feelings many a murder has taken place in the past. The accused in this case is a hireling of one Perni Mailarai who too one of the accused in the very same murder case. Though Mailarai is no more, his two surviving brothers viz., Sanjeeva Rai and Narayana Rai are equally powerful. The deceased in this case has got two brothers who are influential and powerful in the village. One of the brothers was convicted in a dacoity case and he is a registered K.D. of Puttur Station. It is not unlikely that the premature release of the convict would bring some trouble So the premature release is not recommended.

Sd/- S.I. of Police, Puttur.

In the circumstances reported by the S.I., the premature release is not recommended.

Sd/- Inspector.

The convict was co-accused with convict No 2297 Padiyil Thania Poojari and 2293 Sankappa Shetty. My remarks on them hold good in the case of this convict also. The report of the S.I. of Police, Puttur is duly endorsed by me. His premature release is not recommended.

Sd/- D.S.P., South Kanara.

HD/-

D. M. 's REPORT.

The Session Judge, South Kanara in his judgement in SC 31/44 dated 4-12-44 convicted the 6 accused for the offence under Section 304 II IPC and sentenced each of them to 3 years' imprisonment. In criminal appeal Nos 870/44, 173/45 and Cr.C. 226/45 on the file of the High Court, Madras, the 1st and 4th accused were found guilty on the charge of murder and sentenced to transportation for life. The references cited relate to the premature release of the 4 accused who are at present undergoing the sentences aforesaid in the Central Jail, Cannanore. The records of enquiry received from the D.S.P., South Kanara will show that all the 4 accused belong to one of the strong parties existing in Bellipadi, Perni and the surrounding villages once headed by Maila Rai who is now no more and that his brothers are also influential and powerful one of whom was convicted in a dacoity case and is a registered K.D. of Puttur Station. The 4 accused are either hirelings or supporters of one of the parties and the relations of the victim who are said to belong to the other party still carry memories of the past and the D.S.P. has reported that the premature release of the convicts in question will only strengthen the feelings of the parties with the result ~~xxxxxx~~ there is likelihood of danger to both parties and disturbance of peace in the locality. Further it is reported that the life of the convicts themselves will not be safe if released prematurely. The D.S.P., South Kanara with whom I agree does not recommend the release of the 4 convicts While enclosing the connected records of enquiry relating to the 4 convicts I am to report that the 4 convicts in question cannot be released without injury to the community.

/By order/

Sd/- Magisterial Head Clerk.

Convict No 2296 (III Time).

Working sheet as on 22-6-50.

4--12--44	
0-- 4--13	
3-- 4--58	
112 days at large.	
115	
30 April	
85	
31 May	
54	
30 June	
24-7-58	✓
2-12-7	
22-7-50	✓
9-1	
13-6-50	✓
25--3--65	
21--6--52	
4--9--12	
13-10-- 8	
21-10-- 3	✓

Particulars of remission.

Convict		86 Days.
N.W.		75
W.O.		18
C.W.		144
GCR		60
SR		54
IDSR '47		1,200
" '48		60
" '49		15
~~KSR~~		~~XXX~~
RSR		1,200
Conversion		5
Total:-		2,917
Remission earned after 26-3-50 to 17-6-51	C.W.	120
	GCR	30
	SR	25
		3,092
Remission earned after 17-6-'51 up to date	C.W.	96
	S.R.	30
	GCR	15
		3,233 Days.

Superintendent,
Central Jail, Cannanore.

HD/-

45

FORM No. 52. (*See* Rule 879, Part I of Vol. II, M.P. and R.M.) Judl. (Jail II)-13.

NOMINAL ROLL OF MALE* CONVICT No. 2296 A†

Name GOLITHATHU AITHAPPA POOJARI S/o THANIA POOJARI

Residence (Village, Taluk and District.) KODIMBADI - PUTTUR - SOUTH KANARA

Caste Hindu; Poojari Present age 52 years. Occupation Cultivation.

Section and Code under which imprisoned. 304 II IPC; 302 IPC on appeal.

Original sentence of order and date. RI 3 years dated 4.12.44 enhanced to Transportation for life on appeal. Session Judge, South Kanara; SC 31/44.

Adjudicating Court and Calendar number of case.

Unexpired term of sentence after deducting remission earned. 3 year(s) 10 Month(s) 21 Day(s).

Present state of health and fitness to undertake a journey.‡ I H.

(PTO

46

Result of appeal (if any) Modified into a sentence of Transportation for life u/s 302 IPC in CA No 870/44 and 173/45 High Court Madras.

Conduct in Jail EXEMPLARY.

Personal and descriptive marks § -----

Remarks Class II - Rice Diet - Education C - Direct Committal.

* Strike out and add "Female" when necessary.

† After the Prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No: 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

§ Personal and descriptive marks are to be given when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner (Rule 549, Part I of Vol. II, M.P. and R.M.)

Cannanore Central JAIL,
21. 6. 1952.

Superintendent.

HD/-

No. 4296 Office of the Superintendent, Central Jail,
Cannanore, dated, 17th April, 1952.

1738/1952

The District Superintendent of Police, S. Kanara, Mangalore.

Sir,

As the Advisory Board constituted by G.O. No [illegible] (General) Dept., dated 26th February, 1923 as published in Part I of the [illegible] St. George Gazette dated 6th March 1923 is to sit at this Jail shortly, I have the honour to request that you will be so good as to favour me promptly with full and accurate details of the previous history as called for in the annexure in the case of Convict No 2296 who was sentenced in S C No 31 of 1944 as it is one of those to be placed before the Board for consideration. As the matter does not admit of delay, I shall be obliged if you will kindly give it your personal attention and forward the required details within 15 days through the District Magistrate, S. Kanara so as to be received in this office on or before 15-5-52 positively.

The undermentioned records relating to the prisoner are also enclosed herewith. They may kindly be returned to me with your report through the District Magistrate S. Kanara. The receipt of this communication may be acknowledged.

Encls:- Nominal Roll of the prisoner (2) Copy of Judgement in S C No 31 of 44 (3) Copy of Appellate Judgement in C.A. No 97/44 & M 173/45 (4) Annexure.

Superintendent.

Copy to the District Magistrate, S. Kanara for favour of supplementing details with such information and remarks as may deem to be appropriate and necessary towards the end in view. At the suggestion of the Board it is further requested that it may be definitely stated whether or not the prisoner can be released without injury to the community.

HD/-

POST OFFICE
13 APR 1952

T

Ur Ref CNO 7738/002/52

E Instructs for urgent enquiry and report with one days please

FORM No. 52. (*See* Rule 879. Part I of Vol. II. M.P. and R.M.) Judl. (Jail II)-13.

NOMINAL ROLL OF MALE* CONVICT No. 2296 A†

Name GOLITHATHU AITHAPPA POOJARI S/o THANIA POOJARI

Residence (Village, Taluk and District.) KODIMBADI - PUTTUR - SOUTH KANARA

Caste Hindu; Poojari Present age 52 years. Occupation Cultivation.

Section and Code under which imprisoned. 304 II IPC; 302 IPC on appeal.

Original sentence of order and date. RI 3 years dated 4.12.44 enhanced to Transportation for life on appeal. Session Judge, South Kanara; SC 31/44.

Adjudicating Court and Calendar number of case.

Unexpired term of sentence after deducting remission earned. 3 year(s) 10 Month(s) 21 Day(s).

Present state of health and fitness to undertake a journey.‡ I H.

(PTO

46

Result of appeal (if any) Modified into a sentence of Transportation for life u/s 302 IPC in CA No 870/44 and 173/45 High Court Madras.

Conduct in Jail EXEMPLARY.

Personal and descriptive marks §

Remarks Class II - Rice Diet - Education C - Direct Committal.

Strike out and add "Female" when necessary.

† After the Prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No: 3743 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

§ Personal and descriptive marks are to be given when (1) rolls accompany prisoners transferred. (2) police assistance is sought for the recapture of an escaped prisoner (Rule 549, Part I of Vol. II, M.P. and R.M.)

Cannanore Central JAIL,
21. 6. 1952.

Superintendent.

HD/-

ANNEXURE.
(To be returned.)

Con. No 2296 and Name Gobi Thathu Ambappa Poojary

Note:- The Government direct that the previous history of the above prisoner should contain the information on the following points, and the District Magistrate and the District Superintendent of Police are requested to furnish th

SOUTH CANARA
COLLECTOR'S OFFICE
MARK 1952

	Report of the District Superintendent of Police	Opinion of the District Magistrate.
1 What wi[illegible] reaction in the locality if the prisoner is released prematurely.		The convict was a co-accused with Convict No 2297 Padre Ramia Poojary and 2293 Lankappa Shetty. My remarks on them hold good in the case of this convict also. The report of the Dt. Sp. of Police further is fully endorsed by me. His premature release is not recommended
2. What the feelings of the relations of the victim(s) of the offence who suffered at the hands of the accused will be in case of premature release.		
3. Whether the life of the accused itself will be safe if he is to be released prematurely.		
4. The past history and conduct of the accused.		
5. Any additional information relating to the prisoner.		

Dt. Superintendent of Police.

District Magistrate.

HD/- A Dis cno 7738/Con/52.
Rly Dth Supdt of Jail through Dtr Pk

Forwarded to the Supdt. Central Jail
Ranchi with the request of saying
if I agree with the Dr. Supdt of Police &
need don't recommend the premature
release of the convict. The convict
Ranchi be released without signing
bond with surety.

Dy. Commr
Ranchi

Past History and Conduct of the accused

The accused belongs to one of the factious parties existing in Bellipadi perne, and the surrounding villages

The faction is commonly called Bellipadi faction. though dormant at present. On account of the party feeling many a murder has taken place in the past. The accused in this case is a kinsman of one Perne Maile Rai who has been one of the accused in the very same murder case. Though Maile Rai is no more his two surviving brothers and namely Sanjeeva Rai and Narayana Rai are equally powerful

The deceased in this case has got two brothers who are influential and powerful in the village. One of the brothers was

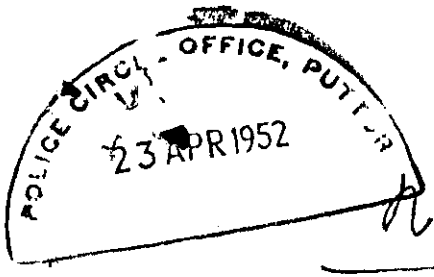
[redacted] was convicted in a dacoity case and he is a registered H.D. of Puttur station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release is not recommended

Sd/- illegible
S.I of Police, Puttur
25/4/52

Recommended

In the circumstances reported by the S.I premature release is not recommended

Sd/- illegible
Dy. S.P.
25/4/52



Express

R. Refs 7737/02/52 55 55

288/E1/SVE Inspector for urgent enquiry and report with in 7 days along with refs 7734 7735/02/52 please and 7738/02/52 please

for DSP Bk

S.H.O. Bk

Inspector
23/4/52

153

1. [illegible] There will be sporadic out breaks of lawlessness and peace and tranquility [illegible] in the village. The reaction will be one of insafety and uneasiness.

2. [illegible] The feelings of the relatives of the victims of the offence will be one of fear and dreadfulness. The accused may encounter vindictive vengeance resulting violence and blood shed

The life of the accused. His safety will be unsafe as the convict is a dangerous and desperate fellow and the villagers are dead against him

Separate sheet is attached

The convict belongs to a strong factions party commonly called as Pallipadi faction. The peace full life of the village will be jeopardized if the convict is released prematurely

[illegible]
Pradhanadig
S.I. of Police 28/4/82 Pulivar.

PROCEEDINGS OF THE ADVISORY BOARD MEETING HELD AT CENTRAL JAIL, CANNANORE ON 21ST JUNE, 1952.

The cases of the following Lifer Convicts are NOT recommended for conditional release:-

S.No.	Convict No & Name	Remarks.
4.	2297 PADAYIL THANIA POOJARI	- NOT RECOMMENDED.

/True Extract/

Superintendent,
Central Jail, Cannanore.

HD/-

[redacted] dl. (Jail II)-92—3,4

Roll of convict recommended for conditional release under the Intermediate sentences scheme sanctioned in G.O. No. 667, Law (General), dated 26th February 1923.

1. Name of jail	Central Jail, Cannanore.
2. Convict number and name	2297 PADIL THANIA POOJARY
3. Father's or Husband's name	KOTI POOJARY
4. Residential address including taluk and district.	BANNUR - PUTHUR" - S. KANARA
5. Court by which the prisoner was convicted and case number.	Session Judge, South Kanara. SC 31/44.
6. Section of the I.P.C. or other law under which convicted.	Sec. 304 II IPC (302 IPC on appeal).
7. Date of sentence	4-12-44.
8. Period of sentence	RI 3 years dated 4.12.44 enhanced to transportation for life.
9. Date on which convict completed two thirds of his sentence.	1--5--50 (Third Time).
10. Unexpired portion of sentence on date of recommendation by the Board, including remission earned (remission granted in celebration of pub lic events should be excluded)	Y.M. D. 3 9. 0 Remission granted in celebration of public events included.

P.T.O.

11. Full " police " history with recommendation of the District Superintendent of Police.	Vide separate sheet attached.
12. Recommendation of the District Magistrate.	I agree with the D.S.P. S.Kanara and do not recommend the premature release of the convict. He cannot be released without injury to the Community. Sd/- Dt. Magistrate, South Kanara.
13. Remark of the Superintendent of the Jail on the conduct of the convict in prison.	EXEMPLARY
14. Recommendation of the Advisory Board with detailed reasons when the Board differs from the Superintendent of Police or the District Magistrate.	NOT RECOMMENDED. Sd/- President.

annanore Central JAIL,

Dated 21---6---1952

Superintendent

HD/-

D. M. 's REPORT.

The Session Judge, South Kanara in his judgement in SC 31/44 dated 4-12-44 convicted the 6 accused for the offence under Section 304 II IPC and sentenced each of them to 3 years' imprisonment. In criminal appeal Nos 870/44, 173/45 and Cr.C. 226/45 on the file of the High Court, Madras, the 1st and 4th accused were found guilty on the charge of murder and sentenced to transportation for life. The reference cited relate to the premature release of the 4 accused who are at present undergoing the sentences aforesaid in the Central Jail, Cannanore. The records of enquiry received from the D.S.P., South Kanara will show that all the 4 accused belong to one of the strong parties existing in Bellipadi, Perni and the surrounding villages once headed by Naila Rai who is now no more and that his brothers are also influential and powerful one of whom was convicted in a dacoity case and is a registered K.D. of Puttur Station. The 4 accused are either hirelings or supporters of one of the parties and the relations of the victim who are said to belong to the other party still carry memories of the past and the D.S.P. has reported that the premature release of the convicts in question will only strengthen the feelings of the parties with the result ~~xhxixxx~~ there is likelyhood of danger to both parties and disturbance of peace in the locality. Further it is reported that the life of the convicts themselves will not be safe if released prematurely. The D.S.P., South Kanara with whom I agree does not recommend the release of the 4 convicts While enclosing the connected records of enquiry relating to the 4 convic I am to report that the 4 convicts in question cannot be released without injury to the community.

/By order/

Sd/- Magisterial Head Clerk.

There will be sporadic outbreak of lawlessness and peace and tranquility will be disturbed in the village. The reaction will be one of unsafety and uneasiness. The feelings of the relations of the victims of the offence will be one of fear and dreadfulness. The accused may even wreak vengeance resulting in violence and bloodshed. The life of the accused will be unsafe as the convict is a dangerous and desperate fellow and the villagers are dead against him. The accused belongs to one of the factious party existing in Bellipadi & Perni and the surrounding villages. The faction is commonly called the Bellipadi Faction though dormant at present. On account of the party feelings many a murder has taken place in the past. The accused in this case is a hireling of one Perni Mailarai who too one of the accused in the very same murder case. Though Mailarai is no more, his two surviving brothers viz., Sanjeeva Rai and Narayana Rai are equally powerful. The deceased in this case has got two brothers who are influential and powerful in the village. One of the brothers was convicted in a dacoity case and he is a registered K.D. of Puttur Station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release is not recommended.

Sd/- S.I. of Police, Puttur.

In the circumstances reported by the S.I., the premature release is not recommended.

Sd/- Inspector.

As the accused was convicted in a case arising out of a long-standing faction in the village, his premature release will be viewed with fear and apprehension of sporadic outbreaks of lawlessness and disturbance of the peace likely to cause danger to the person and properties of his erstwhile enemies. The relations of the victim who are members of a faction still carry memories of the past and a premature release will only enliven their feelings of animosity and hatred for the accused. The life of the accused will not be safe. The report of the S.I. of Police, Puttur regarding the past history and conduct may be perused. His premature release is not recommended.

Sd/- D.S.P., South Kanara.

Convict No 2297 (III Time).

Working sheet as on 22-6-50.

4--12--44
0---4--13
3---4--58
112 Days
115
30 April
85
31 May
54
30 June
24--7--58
23--1---8
1--6--50.
1 To be earned.
1--5--50

Unexpired portion of sentence.

25--3--65
21--6--52
4--9--12
4-12---8
0--9---3

Particulars of Remission.

Ordinary Convict		82 Days.
N.W.		5
W.O.		36
C.W.		240
GCR		60
SR		70
IDSR '47		1,200
" '48		60
" '49		15
RSR		1,200
Conversion		5
		2,973
Remission earned after 26-3-50 to 17-6-51	C.W.	120
	GCR	30
	SR	20
		314 3
Remission earned after 17.6.51 to date.	XXXX	XXX
	C.W.	96
	SR	30
	GCR	15
Total:-		3,284

Superintendent,
Central Jail, Cannanore.

HD/-

63

FORM No. 52. (*See* Rule 879, Part I of Vol. II, M.P. and R.M.) Judl. (Jail II)-13.

NOMINAL ROLL OF MALE* CONVICT No. 2297 A †

Name PADVIL THANIA POOJARI S/o KOTI POOJARI

Residence (Village, Taluk and District.) BANNUR - PUTTUR - SOUTH KANARA.

Caste Hindu; Billava Present age 46 years. Occupation Carpenter.

Section and Code under which imprisoned. 304 II IPC; 302 IPC on appeal.

Original sentence of order and date. RI for 3 years dated 4.12.44 enhanced to Transportation for life on appeal.

Adjudicating Court and Calendar number of case. Session Judge, South Kanara; SC 31/44.

Unexpired term of sentence after deducting remission earned. 3 year(s) 9 Month(s) 0 Day(s).

Present state of health and fitness to undertake a journey.‡ I H.

PTO

64

Result of appeal (if any) Modified into a sentence of transportation for life under Sec. 302 IPC in CA No 870/44 and 173/45, by High Court, Madras.

Conduct in Jail EXEMPLARY.

Personal and descriptive marks §

Remarks Class II - Rice Diet - Education B.- Direct Committal.

* Strike out and add "Female" when necessary.

† After the Prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

§ Personal and descriptive marks are to be given when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner (Rule 549, Part I of Vol. II, M.P. and R.M.)

Cannanore Central JAIL,
21. 6. 1952.

Superintendent.

HD/-

Confdl.

No P7/52/2297 | 1508 Office of the Superintendent, Central Jail,
Cannanore, dated, 17th April, 1952.

7734 | D VI.

To

The District Superintendent of Police, S. Kanara, Mangalore

Sir,

As the Advisory Board constituted by G.O. No 697 Jail (General) Dept., dated 26th February, 1923 as published in Part I of the Fort St. George Gazette dated 6th March 1923 is to sit at this Jail shortly, I have the honour to request that you will be so good as to favour me promptly with full and accurate details of the previous history as calls for in the annexure in the case of Convict No 2297 who was sentenced in SC No 31 of 1944 as it is one of those to be placed before the Board for consideration. As the matter does not admit of delay, I shall be obliged if you will kindly give it your personal attention and forward the required details within 15 days through the District Magistrate, S. Kanara so as to be received in this office on or before 15-5-52 positively.

The undermentioned records relating to the prisoner are also enclosed herewith. They may kindly be returned to me with your report through the District Magistrate S. Kanara. The receipt of this communication may be acknowledged.

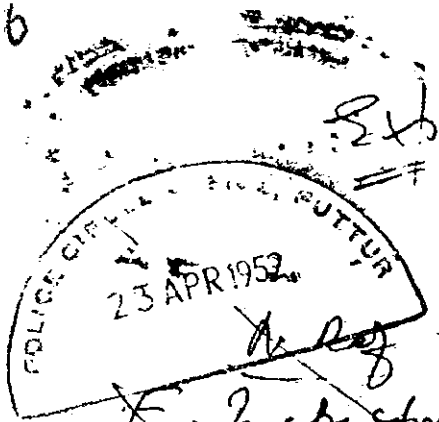
Encl. Nominal Roll of the prisoner (2) Copy of Judgement in C No 31 of 44 (3) Copy of Appellate Judgement in C.A. No 870/44 and CA 173/45 (4) Annexure.

Superintendent.

Copy to the District Magistrate, S. Kanara for facour of supplementing details with such information and remarks as may deem to be appropriate and necessary towards the end in view. At the suggestion of the Board it is fruther requested that it may be definitely stated whether or not the prisoner can be released without injury to the community.

HD/-

6



Ex Item

V

ens 7736/Dr/52.

E. Inspector for urgent enquiry and report within 5 days. Please

Ex Item

ens 7736/Dr/52

E. Inspector for urgent enquiry and report within 5 days. Please

S.No. 61

Inspr C

ANNEXURE.
(To be returned.)

67

Con. No. 2297 and Name Padel Thania Peyany

Note:- The Government direct that the previous history of the above prisoner should contain the information on the following points, and the District Magistrate and the District Superintendent of Police are requested to furnish the same -

SOUTH ARCOT
COLLECTOR'S OFFICE
30 APR 952

	Report of the District Superintendent of Police.	Opinion of the District Magistrate.
1. What will be reaction in the country if the prisoner is released prematurely.	As the accused was convicted in a case of grievous hurt of a boy belonging to Jain village, his premature release will be viewed with fear and apprehension by the people as it may lead to sporadic outbreaks of lawlessness and disturbance of the peace, which may endanger the person & properties of his erstwhile enemies.	
2. What the feelings of the relations of the victim(s) of the offence who suffered at the hands of the accused will be in case of premature release.	2. The relatives of the victim, who are members of a faction like every necessity of the case and a premature release will cause grievous shock to their feelings of security and hatred for the accused.	
3. Whether the life of the accused itself will be safe if he is to be released prematurely.	3. The life of the accused will not be safe	
4. The past history of and conduct of the accused.	4. The report of the S.P. Villupuram, both as to his history & conduct may be perused. His premature release is not recommended.	
5. Any additional information relating to the prisoner.		

Dt. Superintendent of Police.

District Magistrate.

HD/- Pl. Cons Crl. 7758/0-1/52 -

Rd. by the Sub Jail - Cuddalore through the D.M. Chingleput

68

Forwarded to the Dr. Superintendent
Central Jail Calcutta with request to
enquire

If I agree with the Dr. Superintendent
of Police Khulna and also with recommend
the premature release of the convict
He should be released without injury
to the community

Dr. Rabeya Khatun
Khulna

1 [redacted] will be reaction in locality & petitions to release him forthwith

There will be sporadic outbreak of lawlessness and peace and tranquility will be disturbed in the locality. The reaction will be one of insecurity and uneasiness

2 effect on the feelings of the relations of the victim(s) of the offence would be fear and dreadfulness and in case of premature release

The feelings of the relations of the victims of the offence will be one of fear and dreadfulness. The accused may wreak vengeance resulting violence and bloodshed

3 Effect on life of the accused himself would be unsafe as he would be looked upon as traitor

The life of the accused itself will be unsafe as the convict a dangerous and desperate fellow.

4 [illegible] public duty and [illegible] of the accused

5 Any additional information which may be furnished

A separate sheet is attached

The convict belongs to a very strong factious party commonly called 'Bellipadi faction' The peace of the village will be jeopardised if the convict is released here

S.I. of Police

Past History and Conduct of the accused

The accused belongs to one of the factions parties existing in Bellipadi Perne and the surrounding villages. The faction is commonly called "Bellipadi faction", though dormant at present on account of the party feelings many a murder has taken place in the past. The accused in this case is a kinsman of one Perne Naila Rai who too was one of the accused in the very same murder case. Though Naila Rai is no more his two surviving sons brothers namely Sanjeeva Rai and Narayana Rai are equally powerful

The deceased, in this case has got two brothers who are influential and [redacted] the village One of [redacted] was

Convicted in a dacoity case and he is a registered K.D. of Puttur Station. It is not unlikely that the premature release of the convict would bring some trouble. So the premature release of the convict is not recommended in the interest of the public at large

M. Madhavadas
S.I. of Police
Puttur
25/4/52

Re Subordinates

In the circumstances reported by the S.I., premature release is not recommended

Dy. S.P.
25/4/52

Home (Ar. II) Dept

73

bs/18/8

Pl. issue 2 18/8/52

G.O.R.No. 2401 dated 18/8/52

Prisoners - Adv. Bd. - T.J. Tanjore

Convicts Nos. 2293 SANKAPPA SHETTY alias KORATA SHETTY and three others - Release Refused - Resubmission of the cases in August 1953 - Ordered

P.I.C.F.

Read: From the I.G. of Prisons No. 122/S4/52 dated 6.8.52.

Order

The Govt. decline to sanction the premature release of the following convicts confined in the T.J. Tanjore:

	C. No.	Name
(1.)	2293	SANKAPPA SHETTY @ KORATA SHETTY.
(2)	2294	BILIYOOR SESHAPPA SHETTY.
(3)	2296	TOLITHATTU AITHAPPA PUJARY.
(4)	2297	PADIL THANIA PUJARY.

P.2 N.F.

Ā on P.1 N.F.

2. The Inspector-general of Prisons is requested to resubmit the cases of the above prisoners for orders of government in August 1952 1953 after consideration by the Adv. Bd. and with its recommendation.

Ordered

14/8/52

17-8-1952

To

The I.G. of Prisons, Madras.

16/8/52

(With PP. 73-116 C.F. in duplicate returned)

Home (R.II) Dept.

C.NO. 141-146 H&S-46-R.II/52

Prisoners Advocate T.T. Tannanir
C.NO. 2293. SANKAPPA SHETTY alias KORAGA SHETTY
and three others - Release

P.I.C.F. From the D.J. of Prisons No. 122/54/52
dated 6.8.52

1. Name of the Jail: T.T. Tannanir — col. 1 on pp 7, 25, 41 & 59 C.F.

2. Number and name of the convict:
1. 2293 SANKAPPA SHETTY @ KORAGA SHETTY (A2) — col. 2 on P. 7 C.F.
2. 2294 BILLIYDAR SESHAPPA SHETTY (A3) — col. 2 on P. 25 C.F.
3. 2296 TOLITHATTU AITHAPPA PUJARY (A5) — col. 2 on P. 41 C.F.
4. 2297 P.A.D.K. THANIA PUJARY (A6) — col. 2 on P. 59 C.F.

3. Father's name:
1. R. Pappini Shetty — col. 3 on P. 7 C.F.
2. Sankappa Shetty — col. 3 on P. 25 C.F.
3. Thania Pujary — col. 3 on P. 41 C.F.
4. Koli Pujary — col. 3 on P. 59 C.F.

4. Residential address including taluk and district:
1. Sujigar, Mangalore, South Kanara Dt. — col. 4 on P. 7 C.F.
2. Biliyur, Puttur, South Kanara Dt. — " P. 25 C.F.
3. Kodimbadi, Puttur, South Kanara Dt. — " P. 41 C.F.
4. Bannur, Puttur T.V., South Kanara Dt. — " P. 59

5. Court and case No.:
1. S.J. South Kanara S.C. No. 31/44 — P. 73 C.F.
2. H.C. Madras C.A. No. 870/44 — P. 87 C.F.

6. Sentence & date with section of law:
1-4) R.I. for three years i/s 304 Part II I.P.C. 4.12.45 — S on P. 73 C.F.
A) Enhanced to transportation for life i/s 302 I.P.C. 12.4.45 — M on P. 113 C.F.

7. Date of completion of 2/3 sentence:
1. 17.9.50 — P. 9 C.F.
2. 1.8.50 — P. 27 C.F.
3. 13.6.50 — P. 43 C.F.
4. 1.5.50 — P. 61 C.F.

8. Unexpired portion of sentence as on 21.6.52:

	Y.	M.	D.	
1	4	4	25	P. 9 C.F.
2	4	2	8	P. 29
3	3	10	21	P. 45
4	3	9	01	

9. Conduct in jail: (1) to (4) — Exemplary — col. 13 on P. 5, 23, 39 &

(P.T.O.)

10) Recommendation of the D.M. / D.S.P. — Not recommended. PP 15 & 21, 33-34, 49-50 & 67-68 C.F

11) Recommendation of the Advy. Bd — Not recommended X on P 3 C.F.

12) Period Spent in jail: (1) & (4) about 7 years & 8 months

The prisoners' cases were first plotted before the Advy. Bd. in ~~August~~ March 50. But and their cases were not recommended. Hence cases were therefore ordered to be put in August '51 in G.O.R. No. 2230 Home dated 9-8-50. In 1951 also the Advy. Bd. did not recommend their premature release. The Govt. ordered the resubmission of their cases in August '52. in G.O.R. No. 2309 Home dated 21-8-51. As per the above orders the cases of the prisoners ~~have~~ have been resubmitted. Even now the D.M., ~~and~~ D.S.P. and ~~the~~ the Advy. Bd. have not recommended X X on P.3 C.F the premature release of these prisoners. If their premature release is refused, a further date may be fixed for the resubmission of their ~~case~~ cases.

P.3 of records at (C) cited

P.9 C.F of (C)

P.59 C.F. of (R)

P.1 C.F

PP 15 & 21, 33-34, 49-50 & 67-68 C.F

9/8/52 — 11/8/52

May be ordered to be put up again after a year

11-8-52

F.S. 16/8/52

11-8-52

draft order submitted.

14/8/52 — 16/8/52

17-8-52

A.S.M